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Docket No. TD-198

AUG 09 2006

REMARKS

The Examiner is thanked for his careful and very thorough Office Action. Claim 1 is hereby amended in order to correct alleged informalities suggested by Examiner. Applicant thanks Examiner for the indication that claims 6-8, 13, 20-22, and 27 would be allowable if rewritten to include all limitations from their respective base claims.

Applicant offers the remarks below for why the remaining claims are believed to be in condition for allowance. Favorable reconsideration, based on the following comments, is respectfully requested.

Examiner rejects Claim 1 over Lee, USPN 6658167. Claim 1, as amended, is reproduced for purposes of discussion.

1. An image display system, comprising:
a visual server having image processing capabilities wherein the visual server is configured to selectively receive image-modifying data corresponding to a generated image, generate a modified image based upon the image-modifying data, and transmit the modified image as compressed data; and
at least one client in selective communication with the visual server, the client including an image display, the client configured to further selectively generate image-modifying data and transmit the image-modifying data to the visual server, and the client receives as compressed data from the visual server an image modified based upon the transmitted image-modifying data, decompresses the compressed image data, and displays the decompressed image on the client image display.

A. Lee teaches that the client sends the server information which merely defines the intended use of data in a client application; however, the information sent by Lee's client to the server does not, itself, instruct how the data is to be modified. Therefore, Lee fails to teach or suggest that the client sends "image modifying data" as claimed.

Amendment - Serial No. 10/037,688.....Page 8

Docket No. TD-198

In rejecting claim 1, Examiner suggests that Lee teaches the claimed limitations of, "wherein the visual server selectively receives image-modifying data corresponding to a generated image," as claimed in claim 1. For this teaching, Examiner points to Lee at col. 3, lines 9-17, the Examiner stating in part, "Lee discloses transmitting information 210 related to the intended use of the data in a client application from the client computer to the server...."

Applicant respectfully submits that the client of Lee does not send "image modifying data" as that term is used in the current application.

Instead, the information sent from the client to the server in Lee is information about intended use of some data. The client-transmitted information in Lee is not information instructing the server how to modify the data--i.e., it is not "image-modifying data" as claimed. Instead, the client in Lee would send information such as "intended use is printing best quality resolution on Inkjet printer..." [Lee, col. 5, lines 3-4] This passage, and others, explain and more clearly define what Lee means when Lee refers to "intended use" of the "data."

The information sent from the client to the server in Lee does not instruct the server how to modify the image. In Lee, another step is required--a step not required in the present claim 1, for example. In Lee, the server receives the information from the client (e.g., print resolution) and the server makes choices about how the data will be optimized for its intended use in the client application. See, for example, Lee at col. 6, lines 43-56:

The method for implementing the present invention includes the steps of: transmitting information regarding the intended use from the client to the server computer. Based on the information transmitted, the server makes choices about how the data will be optimized for its intended use in the client application. These choices are coded into the server application program stored on the server. For example, information that the data is transmitted from an Openpix client, is to be printed on an Inkjet printer and the desired resolution may be transmitted to the server application program. Based on this information, the server program may tune the data for printing instead of viewing and will tune it to the characteristics of the Inkjet printer. [Emphasis added]

Amendment - Serial No. 10/037,688.....Page 9

Docket No. TD-198

Hence, the client of Lee merely sends information about intended use of the data. It does not send information instructing the server how to modify the data, and therefore does not send "image modifying data" as claimed. The decision of how to modify the data is made by the server of Lee.

In claim 1, however, the information which the client sends (i.e., the "image-modifying data") itself instructs the server how to modify an image. This information replaces the choices made by Lee's server. In other words, in Lee, the server receives indirect information about the use of data, and itself decides how it should modify the data. This decision of how to modify the data, made by the server, depends on software residing on the server. The server makes these choices based on its own software. For example, Lee states at col. 6, lines 56-62:

The server application program may also make other choices. For example, if the client application is an Openpix client, then the server application program may optimize the bitstream or alternatively the colorspace, but if is a different application program or alternatively if the printer is a Laserjet printer, it may choose not to make these modifications.

These teachings of Lee differ from the limitations of at least claim 1. The term "image-modifying data" differs from the information relating to "intended use" cited in Lee. The present application gives examples and context for the term "image-modifying data." For example, the summary of the present application states in part:

The clients are in selective communication with the visual server, and each client selectively generates image-modifying data corresponding to the image resident on the image display of that specific client. The client selectively transmits the image-modifying data to the visual server, and the client then receives, as compressed data from the visual server, an image, or data representing an image, which is a modification of the previous image on the client altered in accord with the previously transmitted image-modifying data.

Amendment – Serial No. 10/037,688.....Page 10

Docket No. TD-198

This passage is intended to show that the image-modifying data of the present application is information that instructs the visual server how to modify the image. Though the quoted passage includes words and limitations not directly included in claim 1, Applicant is not arguing that those limitations should be imported into claim 1. Applicant only refers to the above passage in order to demonstrate that "image-modifying data" is not mere information relating to intended use of an image. It is information that instructs the server how to modify an image. This is not taught or suggested in Lee, which only describes a client sending information about intended use of some data. The teaching of Lee therefore would not indicate to one of ordinary skill in the art the limitations of claim 1.

In claim 1, the "image-modifying data" directly instructs how the image should be modified. The server of claim 1 need not make such choices as the server of Lee is required to make. This is because the information Lee's client sends is only information about the intended use of data, and does not directly instruct the server how to modify the data. The server of Lee makes that decision, based on an application residing in the server. But in claim 1, the client itself instructs the server how to modify the data. In short, the client of Lee doesn't send image modifying data. It only sends information about use of some data, without instructions of what actual modifications to make. The server takes the information on intended use and makes choices of how to modify the data.

In short, describing to a server the intended use of some data is not the same as telling that server how to actually modify the data. For example, intended uses in Lee revolve around resolution of an image for printing, or similar uses. But the client of Lee does not tell the server what resolution of image to send; that decision is left to the server itself. Hence, the client of Lee does not send "image-modifying data" as claimed. It only sends information about the use of the data, without instructions of how to modify the data. The server modifies any data according to its own programming, not according to image-modifying instructions from the client. The same client in Lee could send its information about intended use to two different servers in Lee, and,

Amendment - Serial No. 10/037,688.....Page 11

Docket No. TD-198

depending on the configuration of each server, the client would receive back differently modified data, depending on the choices made by either server.

Hence, it is respectfully submitted that the cited reference does not teach or suggest all the limitations of claim 1. Therefore, at least claim 1 is believed distinguished from the cited references. Favorable reconsideration is respectfully requested.

Further, independent claims 9, 14, and 23 all include limitations which are distinguished from Lee by virtue of the above arguments, namely, that Lee does not teach or suggest a client sending "image-modifying data" to a server, but instead only sends information about the intended use of some data. Hence, claims 9, 14, and 23 are hereby also believed distinguished over the cited references. Favorable reconsideration is respectfully requested.

Amendment - Serial No. 10/037,688.....Page 12

Docket No. TD-198

Conclusion

Thus, all grounds of rejection and/or objection are traversed or accommodated, and favorable reconsideration and allowance are respectfully requested. The Examiner is requested to telephone the undersigned attorney or Robert Groover for an interview to resolve any remaining issues.

August 9, 2006

Respectfully submitted,



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Amendment - Serial No. 10/037,688.....Page 13

Docket No. TD-198

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REQUEST FOR TELEPHONE INTERVIEW


Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

Sir:

A telephone interview is respectfully requested.

August 9, 2006

Respectfully submitted,


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Request for Interview – Serial No.Sole Page